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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,198	07/27/2001	Lakshminarayanan Gunaseelan	A-69523/RMA	8315

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EXAMINER

JACOBS, LASHONDA T

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/917,198	GUNASEELAN ET AL.	
	Examiner	Art Unit	
	LaShonda T. Jacobs	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 24-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-21 and 24-39 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This Office Action is in response to applicants' Request for Reconsideration filed on November 3, 2005. The rejections of this application have been withdrawn due to a restriction requirement (the examiner should have raised the issue of a second restriction after Applicants' amended the first restriction and the examiner takes this opportunity to correct her position by raising the issue of a second restriction). Claims 1-18 and 20-29 are presented for examination.

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121.
 - I. Claims 1-11, 13-25 and 27-28, drawn to a delivery system for use in a client server computer architecture in which the server provides streaming media assets to at least one client over a network wherein the media assets can have a plurality of data formats, comprising a packet producer that acquires at least one streaming media asset in packetized form and places time stamps, a time stamp packet queue containing packets with time stamps in a first in, first out order, and a feeder module that removes module packets from the time stamp packet queueclassified in class 709/231.
 - II. Claims 12 and 29-31, drawn to a delivery system for use in a client server computer architecture in which the server provides streaming media assets to at least one client over a network wherein the media assets can have a plurality of data formats, comprising a packet producer that

acquires at least one streaming media asset in packetized form and places time stamps, a time stamp packet queue containing packets with time stamps in a first in, first out order, a feeder module that removes module packets from the time stamp packet queuewherein the packet producer comprises a stream reader and a stream processor..., wherein at least one of the time stamps is adjusted for an early delivery in accordance with the receiving client's pre-read size capability classified in class 709/226.

III. Claims 35-36, drawn to a delivery system for use in a client server computer architecture in which the server provides streaming media assets that can have a plurality of data formats to at least one client over a computer network, the method comprising, acquiring at least one streaming media asset in packetized form.....defining a time window in terms of a first duration of time, computing the number of bytes needed to be delivered during the time window..., translating the computed number of bytes into a first time to process value for the streaming media asset, and admitting for delivery the first streaming media asset if the first time to process value is smaller than the time window, classified in class 370/230.

IV. Claims 26, 32-34 and 37, drawn to a delivery system for use in a client server computer architecture in which the server provides streaming media assets to at least one client over a network wherein the media assets can have a plurality of data formats, comprising a packet producer that acquires at least one streaming media asset in packetized form and places time stamps,

a time stamp packet queue containing packets with time stamps in a first in, first out order, a feeder module that removes module packets from the time stamp packet queuewherein the packet producer comprises a stream reader and a stream processor..., wherein at least one of the time stamps is adjusted for an early delivery in accordance with the receiving the max buffer size value, classified in class 709/223

V. Claims 38 and 39, drawn to a delivery system for use in a client server computer architecture in which the server provides streaming media assets that can have a plurality of data formats to at least one client over a computer network, the method comprising, acquiring at least one streaming media asset in packetized form.....providing a space window comprising a value representing an amount of contiguously stored data, scanning with the space window a file containing a media asset to be transmitted from the server computer system to the client computer system, and returning a value representing the shortest duration of time over which the data contained in the space window can be delivered, classified in class 370/235.

Art Unit: 2157

2. The inventions are distinct, each from another because of the following reasons:

Inventions I and II are related as sub-combinations disclosed as usable together in a single combination. The sub-combinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as wherein at least one of the time stamps is adjusted for an early delivery in accordance with the receiving client's pre-read size capability (as set forth in invention II). See MPEP § 806.05(d).

3. The inventions are distinct, each from another because of the following reasons:

Inventions I and III are related as sub-combinations disclosed as usable together in a single combination. The sub-combinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as defining a time window in terms of a first duration of time, computing the number of bytes needed to be delivered during the time window..., translating the computed number of bytes into a first time to process value for the streaming media asset, and admitting for delivery the first streaming media asset if the first time to process value is smaller than the time window (as set forth in invention III). See MPEP § 806.05(d).

4. The inventions are distinct, each from another because of the following reasons:

Inventions I and IV are related as sub-combinations disclosed as usable together in a single combination. The sub-combinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as in wherein at least

one of the time stamps is adjusted for an early delivery in accordance with the receiving the max buffer size value (as set forth in invention IV. See MPEP § 806.05(d).

5. The inventions are distinct, each from another because of the following reasons: Inventions I and V are related as sub-combinations disclosed as usable together in a single combination. The sub-combinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as in providing a space window comprising a value representing an amount of contiguously stored data, scanning with the space window a file containing a media asset to be transmitted from the server computer system to the client computer system, and returning a value representing the shortest duration of time over which the data contained in the space window can be delivered (as set forth in invention V). See MPEP § 806.05(d).

6. The inventions are distinct, each from another because of the following reasons: Inventions II and III are related as sub-combinations disclosed as usable together in a single combination. The sub-combinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as defining a time window in terms of a first duration of time, computing the number of bytes needed to be delivered during the time window..., translating the computed number of bytes into a first time to process value for the streaming media asset, and admitting for delivery the first streaming media asset if the first time to process value is smaller than the time window (as set forth in invention III). See MPEP § 806.05(d).

7. The inventions are distinct, each from another because of the following reasons:

Inventions II and IV are related as sub-combinations disclosed as usable together in a single combination. The sub-combinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as in wherein at least one of the time stamps is adjusted for an early delivery in accordance with the receiving the max buffer size value (as set forth in invention IV). See MPEP § 806.05(d).

8. The inventions are distinct, each from another because of the following reasons:

Inventions II and V are related as sub-combinations disclosed as usable together in a single combination. The sub-combinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as in providing a space window comprising a value representing an amount of contiguously stored data, scanning with the space window a file containing a media asset to be transmitted from the server computer system to the client computer system, and returning a value representing the shortest duration of time over which the data contained in the space window can be delivered (as set forth in invention V). See MPEP § 806.05(d).

10. The inventions are distinct, each from another because of the following reasons:

Inventions III and IV are related as sub-combinations disclosed as usable together in a single combination. The sub-combinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as in wherein at least

one of the time stamps is adjusted for an early delivery in accordance with the receiving the max buffer size value (as set forth in invention IV). See MPEP § 806.05(d).

11. The inventions are distinct, each from another because of the following reasons: Inventions III and V are related as sub-combinations disclosed as usable together in a single combination. The sub-combinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as in providing a space window comprising a value representing an amount of contiguously stored data, scanning with the space window a file containing a media asset to be transmitted from the server computer system to the client computer system, and returning a value representing the shortest duration of time over which the data contained in the space window can be delivered (as set forth in invention V). See MPEP § 806.05(d).

12. The inventions are distinct, each from another because of the following reasons: Inventions IV and V are related as sub-combinations disclosed as usable together in a single combination. The sub-combinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as in providing a space window comprising a value representing an amount of contiguously stored data, scanning with the space window a file containing a media asset to be transmitted from the server computer system to the client computer system, and returning a value representing the shortest duration of time over which the data contained in the space window can be delivered (as set forth in invention V). See MPEP § 806.05(d).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs
Examiner
Art Unit 2157

ltj
January 21, 2005


ARIO ETIENNE
PRIMARY EXAMINER